

Appln No. 10/562,258
Amdt date July 30, 2009
Reply to Office action of March 30, 2009

Amendments to the Drawings:

The attached sheet of drawings includes changes to FIGS 3A-3D. These sheets, which include FIGS 3A-4, replaces the original sheets including FIGS. 3A-4.

Attachment: Replacement Sheets (2)
 Annotated Sheet Showing Changes (2)

REMARKS/ARGUMENTS

Claims 22 and 24, 25, 27-37 and 39-43 are pending in the application, of which claim 35 is withdrawn. Claims 1-21, 23, 26 and 38 are canceled.

The drawings have been objected to. Applicants have amended FIGS. 3A-3D so that these figures include cross-sectional shading. Applicants request withdrawal of this objection.

The Abstract has been objected to for having legal phraseology. Applicants have amended the Abstract to remove legal phraseology. Applicants request withdrawal of this objection.

The Specification has been objected to. Applicants have amended the Specification on page 8 to replace reference number 24 with 14. Applicants have further amended the Specification to clarify the interchangeable reference to deflection element and cable pulley. Applicants request withdrawal of this objection.

Claims 22-34, 36, 37 and 39-43 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. Applicants have amended claims 22, 24, 25, 29, 30 to render these claims definite. Applicants believe that the amendments to these claims overcome the rejection under 35 U.S.C. 112, second paragraph.

Claims 22-24, 28, 30-34, 36, 37, 42 and 43 have been rejected under 35 U.S.C. 102(b) over Kilppert, U.S. Patent No. 6,131,482. Claim 22 has been amended to include the limitations of claim 26. Because claim 26 is not rejected under 35 U.S.C. 102(b), claim 22 and dependent claims 23, 24, 28, 30-34, 36, 37, 42 and 43 are patentable over Kilppert.

Claims 22, 25-27, 29 and 39-41 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,656,580 to Kobrehel ("Kobrehel") in view of Kilppert.

Claims 22 and 39 have been amended to include the limitations of claim 23. Because claim 23 is not rejected under 35 U.S.C. 103(a) over Kobrehel in view of Kilppert, Applicants believe that claims 22, 25-27, 29 and 39-41 are patentable over Kobrehel in view of Kilppert.

Furthermore, claims 22 and 39 recite “wherein the socket is fixable together with the deflection element and the spring device as one preassembled structural module on the window lifter.” Claims 22 and 39 have been amended to include the limitations of claim 23 to further recite “wherein the socket forms a housing.” Applicants believe that Kobrehel and Klippert fail to teach or suggest the noted limitation of claims 22 and 39.

Referring to FIG. 1A of Kobrehel, the track 21 is an integral part of a window lifter. A pulley plate 64 is slidably mounted on the track 21. As shown in FIG. 1, the track 21 is independent from the other parts shown and extends along almost the entire height of the door panel. The pulley plate 64 supports a pulley 61, which receives a cable 28. A spring 80 maintains tension in the cable by biasing the pulley plate 64 outward relative to the track 21.

Claims 22 and 39 recite “wherein the socket is fixable together with the deflection element and the spring device as one preassembled structural module on the window lifter.” Claims 22 and 39 also recite that “the socket forms a housing.” The Examiner has referred to the track 21 of Kobrehel as the socket, the pulley 61 of Kobrehel as the deflection element, and the spring 80 of Kobrehel and the spring device. *See Office action, page 7.* Accordingly, the Examiner is asserting the track 21, the pulley 61 and the spring 80 form a preassembled structural module fixable on the window lifter. However, as shown in FIG. 1 of Kobrehel, the track 21 forms an integral part of the window lifter in the device of Kobrehel. Applicants submit that the track 21 cannot be fixable together with the pulley 61 and the spring 80 as one preassembled structural module on the window lifter because the track 21 forms an integral component of the window lifter. In other words, the track 21 cannot form a preassembled structural module with the pulley 61 and the spring 28, and then be fixable to itself. The only parts of Kobrehel that can be considered one preassembled structural module to be fixable on the track 21 are the pulley plate 64, the pulley 61 and the cable 28. However, such a module would not have a socket as recited in claims 22 and 39.

Because Klippert and Kobrehel fail to teach or suggest “wherein the socket is fixable together with the deflection element and the spring device as one preassembled structural module

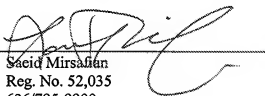
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on the window lifter,” and “wherein the socket forms a housing,” Applicants believe that claims 22, 25-27, 29 and 39-41 are patentable over Kobrehel in view of Klippert.

Based on the above, Applicants believe that the claims are in condition for allowance.

Respectfully submitted,
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FIG 3A

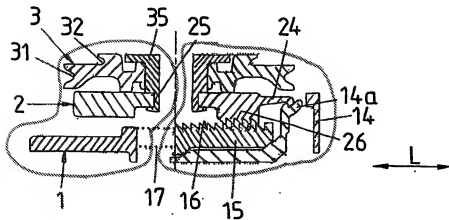


FIG 3B

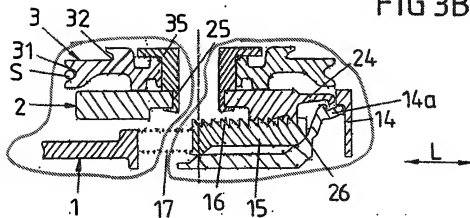


FIG 3C

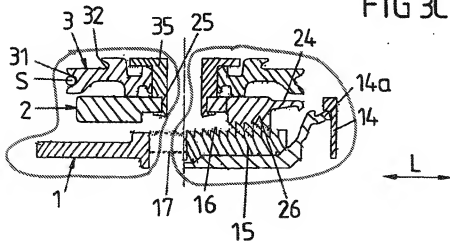


FIG 3D

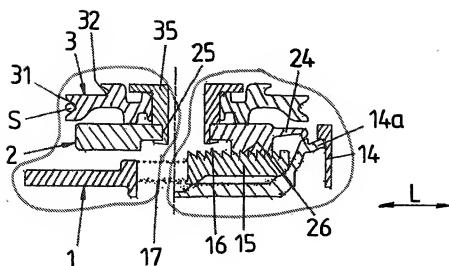


FIG 4

